

**APPLICATION FOR PERMISSION TO CHANGE POINT OF
DIVERSION, MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office DEC 24 2001 ~~SEP 12 1996~~ NEW PRIORITY DATE

Returned to applicant for correction _____

Corrected application filed _____

Map filed _____

SEP 12 1996

The applicant **Frank J. Dziurda**, hereby makes application for permission to change the **point of diversion of a portion** of water heretofore appropriated under **Permit No. 33688**

1. The source of water is **Underground Sources**
2. The amount of water to be changed **2.7 cfs**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point in the **SW¼ NE¼** of **Section 30, T.13N., R.43E., M.D.B.&M.**, whence the **West ¼ Corner** of said **Section 30** bears **S. 78°42'23" W., 2,802.45 feet** distant.
6. The existing permitted point of diversion is located within in the **SW¼ NE¼** of **Section 30, T.13N., R.43E., M.D.B.&M.**, whence the **West ¼ Corner** of said **Section 30** bears **S. 87°45'47" W., 2,742.08 feet** distant.
7. Proposed place of use **No change**
8. Existing place of use **E½ NW¼, W½ NE¼, SE¼** all in **Section 30, T.13N., R.43E., M.D.B.&M. 320 Acres**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **The water will be diverted through 6" and 8" pipelines with a sprinkler system throughout the place of use.**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks:

By **s/Marcia Forman**
Marcia Forman Agent
P.O. Box 150
Ely, Nevada 89301

Compared **cms/bk** **cl/bk**

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 33688 is issued subject to the terms and conditions imposed in said Permit 33688 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 51563 Certificate 14645 and Permit 62459 shall not exceed 1,280.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any well drilled under Permit 33688 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second, but not to exceed 778.56 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 27, 1998

Proof of completion of work shall be filed before:

August 27, 1998

Application of water to beneficial use shall be filed on or before:

July 27, 1999

Proof of the application of water to beneficial use shall be filed on or before:

August 27, 1999

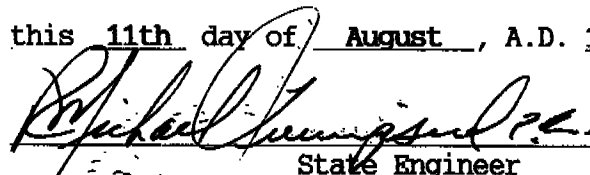
Map in support of proof of beneficial use shall be filed on or before:

August 27, 1999

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 11th day of August, A.D. 1997


State Engineer


Completion of work filed SEP 29 1998

Proof of beneficial use filed 3-19-03

Cultural map filed 3-19-03

Certificate No. 16602 Issued 12-23-05

**CANCELLED OCT 25 2001 BECAUSE OF FAILURE
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT**


STATE ENGINEER

Can. Rescinded 5/1/2002